

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LIVINGSTON EDUCATIONAL SERVICE
AGENCY; SAGINAW INTERMEDIATE
SCHOOL DISTRICT; WALLED LAKE
CONSOLIDATED SCHOOL DISTRICT;
and WAYNE-WESTLAND COMMUNITY
SCHOOLS,

Case No. 22-cv-10127

Hon. Nancy G. Edmunds

Plaintiffs,

v.

Xavier Becerra, SECRETARY OF
DEPARTMENT OF HEALTH AND HUMAN
SERVICES; DEPARTMENT OF HEALTH
AND HUMAN SERVICES; Jooyeun Chang,
ASSISTANT SECRETARY OF
ADMINISTRATION FOR CHILDREN AND
FAMILIES; ADMINISTRATION FOR
CHILDREN AND FAMILIES; and
Bernadine Futrell, DIRECTOR OF THE
OFFICE OF HEAD START,

Defendants.

ORDER OF DISMISSAL

Plaintiffs are school districts who initiated this lawsuit to challenge a COVID-19 vaccine requirement that applied to federal Head Start programs. Plaintiffs sought a preliminary injunction, a permanent injunction, and declaratory relief. On March 4, 2022, this Court denied Plaintiffs' request for a preliminary injunction. (ECF No. 46.) Plaintiffs appealed that decision to the Sixth Circuit Court of Appeals. (ECF No. 49.) While the appeal was pending, however, the vaccine requirement at issue was rescinded. Removal of the Vaccine Requirements for Head Start Programs, 88 Fed. Reg. 41326 (June 26, 2023). The Sixth Circuit therefore found that the relief requested by Plaintiffs would have no bearing on their

rights, making this case moot. This Court's order was vacated and the case was remanded with an instruction from the Sixth Circuit to dismiss the case. (ECF Nos. 61, 62, 66.)

Consistent therewith, IT IS HEREBY ORDERED AND ADJUDGED that this case is DISMISSED AS MOOT.

SO ORDERED.

s/ Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: November 9, 2023

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 9, 2023, by electronic and/or ordinary mail.

s/ Lisa Bartlett
Case Manager